

**ASSEMBLY BILL**

**No. 1915**

**Introduced by Assembly Member Lowenthal**

February 9, 2004

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An act to add Section 1679 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1915, as introduced, Lowenthal. Vehicles: driver's license: identification card: disabled persons.

(1) Existing law authorizes the Department of Motor Vehicles to issue driver's licenses and identification cards to applicants who comply with certain requirements.

This bill would require the department to design and issue driver's licenses and identification cards containing the International Symbol of Access, commonly known as the "wheelchair symbol."

The bill would require the department to establish procedures for the issuance of the specified driver's license or identification card to disabled persons or disabled veterans, including a requirement that the applicant submit a certificate, as specified, that is signed by a physician, surgeon, licensed chiropractor, or licensed optometrist and substantiates the applicant's disability, unless the disability is readily observable and uncontested.

The bill would require the person who signs the specified certificate to retain information sufficient to substantiate that certificate and, upon request of the department, make that information available for inspection by the Medical Board of California. Because a violation of this requirement would be an infraction under certain provisions of the Vehicle Code, the bill would establish a state-mandated local program by creating a new crime.

The bill would require the department to maintain in its records all information on an applicant's certification of permanent disability and make that information available to eligible law enforcement agencies upon request.

The bill would authorize a disabled person or disabled veteran who has a valid special identification license plate or a valid distinguishing placard issued by the department under related statutes, as specified, to submit that document to the department in lieu of compliance with the above described certification requirements.

The bill would require the department to establish procedures to offer the option of permanently marking an existing driver's license or identification card with the specified wheelchair symbol, in lieu of issuing a new document under the certification provisions, for a fee equal to the amount charged for the replacement of a driver's license or identification card.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1679 is added to the Vehicle Code, to  
2 read:

3 1679. (a) The department shall design and issue driver's  
4 licenses and identification cards containing the International  
5 Symbol of Access adopted under Section 3 of Public Law  
6 100-641, commonly known as the "wheelchair symbol."

7 (b) (1) The department shall establish procedures for the  
8 issuance of the driver's license or identification card required  
9 under subdivision (a) to disabled persons or disabled veterans,  
10 including, but not limited to, a requirement that the applicant  
11 submit a certificate in accordance with paragraph (2) that is signed  
12 by a physician or surgeon and substantiates the applicant's  
13 disability, unless the disability is readily observable and  
14 uncontested. The disability of any person who has lost, or has lost



1 the use of, one or more lower extremities or both hands, or who has  
2 significant limitation in the use of lower extremities, may also be  
3 certified by a licensed chiropractor. The blindness of any applicant  
4 shall be certified by a licensed physician or surgeon who  
5 specializes in diseases of the eye or a licensed optometrist. The  
6 person certifying the qualifying disability shall provide a full  
7 description of the illness or disability on the form submitted to the  
8 department.

9 (2) The person who signs a certificate submitted under this  
10 subdivision shall retain information sufficient to substantiate that  
11 certificate and, upon request of the department, shall make that  
12 information available for inspection by the Medical Board of  
13 California.

14 (3) The department shall maintain in its records all information  
15 on an applicant's certification of permanent disability and shall  
16 make that information available to eligible law enforcement  
17 agencies upon request.

18 (c) A disabled person or disabled veteran who has a valid  
19 special identification license plate issued under Section 5007, or  
20 a valid distinguishing placard issued under Section 22511.55, may  
21 submit that document to the department in lieu of compliance with  
22 the certification requirement of paragraph (1) of subdivision (b).

23 (d) The department shall establish procedures to offer the  
24 option of permanently marking an existing driver's license or  
25 identification card with the wheelchair symbol described in  
26 subdivision (a), in lieu of issuing a new document under  
27 subdivision (a), for a fee equal to the amount charged for the  
28 replacement of a driver's license or identification card.

29 SEC. 2. No reimbursement is required by this act pursuant to  
30 Section 6 of Article XIII B of the California Constitution because  
31 the only costs that may be incurred by a local agency or school  
32 district will be incurred because this act creates a new crime or  
33 infraction, eliminates a crime or infraction, or changes the penalty  
34 for a crime or infraction, within the meaning of Section 17556 of  
35 the Government Code, or changes the definition of a crime within  
36 the meaning of Section 6 of Article XIII B of the California  
37 Constitution.

